

Message Text

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PAGE 01 KINGST 05419 01 OF 02 141626Z
ACTION ARA-10

INFO OCT-01 ISO-00 ARAE-00 SSO-00 INRE-00 NSCE-00 CIAE-00
DODE-00 PM-04 H-01 INR-07 L-03 NSAE-00 NSC-05 PA-01
PRS-01 SP-02 SS-15 DHA-02 TRSE-00 /052 W
----- 124629 /47

O R 141515Z DEC 76
FM AMEMBASSY KINGSTON
TO SECSTATE WASHDC IMMEDIATE 3398
INFO AMEMBASSY BRIDGETOWN
AMEMBASSY GEORGETOWN
AMEMBASSY NASSAU
AMEMBASSY PORT
USIA WASHDC

C O N F I D E N T I A L SECTION 1 OF 2 KINGSTON 5419

USIA FOR ILA

E.O. 11652: GDS
TAGS: PINT, PINS, JM
SUBJECT: JAMAICA PLACED UNDER PARTIAL CENSORSHIP

1. ON SATURDAY, DECEMBER 11, THE "COMPETENT AUTHORITY" UNDER THE STATE OF EMERGENCY (SOE), I.E., THE COMMISSIONER OF POLICE AND THE CHIEF OF STAFF (COS) OF THE JAMAICA DEFENSE FORCE (JDF) ISSUED A STATEMENT UNDER THE TERMS OF WHICH THE PRESS, RADIO AND TELEVISION WERE INSTRUCTED TO SUBMIT TO THE "COMPETENT AUTHORITY" THE TEXT OF ALL ADVERTISEMENTS, STATEMENTS AND NEWSCASTS BEARING ON WEDNESDAY'S ELECTIONS AT LEAST SIX HOURS BEFORE PUBLICATION. THE ADVERTISEMENTS COVERED ARE ALL THOSE TO BE ISSUED IN SUPPORT OF OR ON BEHALF THE PEOPLES NATIONAL PARTY (PNP) OR THE JAMAICA LABOUR PARTY (JLP) OR ANY OF THEIR CANDIDATES. THE STATEMENTS INCLUDED ARE THOSE INTENDED TO BE PUBLISHED OR BROADCAST (INCLUDING NEWSCASTS AND PRESS REPORTS). THE STATEMENT DID NOT SPECIFY WHETHER THE SUBMISSION WAS FOR THE APPROVAL OF THE "COMPETENT AUTHORITY" OR FOR INFORMATION ONLY, DID NOT INDICATE HOW THE ADVERTISEMENTS, STATEMENTS AND NEWS ITEMS WOULD BE EXAMINED, AND MADE NO PROVISION FOR THEIR RETURN TO THE MEDIA FOR
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PAGE 02 KINGST 05419 01 OF 02 141626Z

PUBLICATION. THE ORDER WAS TO TAKE EFFECT ON

SUNDAY, DECEMBER 12TH AND LAST THROUGH TUESDAY, DECEMBER 14TH.

2. THE ANNOUNCEMENT UNSURPRISINGLY RAISED SERIOUS QUESTIONS. RESPONDING TO ONE FROM THE GLEANER, MINISTER OF SECURITY KEBLE MUNN ON SATURDAY EVENING SAID THAT THE ORDER WAS NOT INTENDED TO APPLY TO "NEWS AND INFORMATION ORIGINATING WITH THE MEDIA" AND ANNOUNCED THAT A MEETING HAD BEEN SET FOR SUNDAY NOON IN ORDER "TO CLARIFY" ANY POINTS RAISED BY MEDIA. FOLLOWING THAT MEETING THE "COMPETENT AUTHORITY" ISSUED ANOTHER STATEMENT, THIS ONE DISCLAIMING ANY INTENTION TO INTRODUCE PRIOR CENSORSHIP BUT ADDING THAT IF A MATTER "WAS OF SUCH A NATURE AS TO ROUSE THE FEAR OF THE COMPETENT AUTHORITY, THAT ITS PUBLICATION WOULD ENDANGER THE PEACE, IT IS EXPECTED THAT DISCUSSION WOULD IMMEDIATELY TAKE PLACE BETWEEN THE COMPETENT AUTHORITY AND THE PROPOSED PUBLISHER". SUBJECT TO THAT CAVEAT, THE AMENDED ORDER CONTAINED ONLY TWO CHANGES; ONE NOTING THAT THE SUBMISSIONS WERE "FOR INFORMATION", THE OTHER, PERHAPS INADVERTANTLY, ELIMINATING THE DECEMBER 12 THRU 14 TERM OF THE ORDER AND, AS THE GLEANER POINTED OUT IN A FRONT PAGE EDITORIAL MONDAY MORNING, MAKING IT "OPEN-ENDED".

3. THE ONLY EDITORIAL COMMENT ON THE ORDER CAME FROM THE GLEANER IN A FRONT PAGE EDITORIAL IN WHICH IT CITED ITS LONG HISTORY OF DEFENSE OF FREEDOM OF THE PRESS AND ITS ABHORRENCE OF VIOLENCE, AND STATED THAT THE AMENDED ORDER REMAINED "IN PRINCIPLE, THE SAME" AS THE ORIGINAL ORDER. "WHILE WE SUPPORT", SAID THE GLEANER, "COOPERATION TO THE SECURITY FORCES IN THEIR EFFORTS TO CONTAIN CRIME AND RETURN PEACE TO OUR SOCIETY, IT IS IMPOSSIBLE FOR US TO ACCEPT AN INSTRUCTION WHICH COULD HAVE THE EFFECT OF ALLOWING EXTERNAL FORCES TO DETERMINE WHAT WE WILL PUBLISH." . . "HOWEVER WELL INTENTIONED OR POORLY PHRASED, THE REQUEST OF THE SECURITY FORCES FOR US TO SUBMIT TO THEM FOR CONFIDENTIAL

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PAGE 03 KINGST 05419 01 OF 02 141626Z

THEIR INFORMATION COPIES OF CERTAIN MATERIALS IN ADVANCE REPRESENTS IF NOT DIRECT PRESS CENSORSHIP, THEN AT LEAST THE THIN EDGE OF A WEDGE WHICH COULD OPEN THE DOOR TO PRESS CENSORSHIP IN JAMAICA". QUESTIONING THE LEGALITY OF THE ORDER, THE GLEANER SAID IT "HAS DECIDED THAT IT CANNOT CONCUR WITH THE COMPETENT AUTHORITIES" ORDER THOUGH IT WILL COOPERATE IN WAYS WHICH DO

NOT IMPAIR ITS FREEDOM AND RESPONSIBILITY."

4. THE GLEANER EXPANDED ON THIS LAST POINT IN ITS NEWS COLUMNS BY PUBLISHING ITS OFFICIAL REPLY TO THE AUTHORITIES WHICH SAID, IN PART: "WE FEEL THAT AS A MATTER OF RECORD, WE MUST ADD THAT WE ARE OF THE OPINION THAT YOUR MEMORANDUM IS OUTSIDE THE TERMS OF YOUR AUTHORITY. HOWEVER, IN AN ATTEMPT TO COOPERATE, WE WILL SEND YOU, FOR YOUR INFORMATION, COPIES IN RELATION TO OUR NEXT TWO DAYS PUBLICATIONS, OR POLITICAL ADVERTISEMENTS AND STATEMENTS ISSUED BY BOTH PARTIES WHICH WE HAVE ACCEPTED FOR PUBLICATION, BUT WE REGRET THAT IN PRACTICE IT IS NOT POSSIBLE TO UNDERTAKE THAT YOU WILL RECEIVE THESE COPIES SIX HOURS OR ANY OTHER PRESCRIBED PERIOD BEFORE PUBLICATION. IN VIEW OF THE STATEMENT IN YOUR MEMORANDUM THAT THE INFORMATION IS NOT REQUIRED FOR PURPOSES OF CENSORSHIP, WE FEEL SURE THAT THIS WILL NOT DISTURB YOU."

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PAGE 01 KINGST 05419 02 OF 02 141630Z
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C O N F I D E N T I A L SECTION 2 OF 2 KINGSTON 5419

USIA FOR ILA

5. THERE IS NOTHING TO SUGGEST THAT THE ORDER IS INTENDED TO APPLY TO THE FOREIGN PRESS REPORTING FROM JAMAICA -- ALTHOUGH PRESUMABLY REPUBLICATION IN THE LOCAL PRESS OF ITEMS WHICH THEY MIGHT FILE

FROM JAMAICA WOULD BE COVERED. ARRIVING CORRESPONDENTS ARE BEING TOLD AT CUSTOMS AND IMMIGRATION THAT THEY ARE PERMITTED TO WORK IN JAMAICA "WITHOUT WORK PERMITS" ON CONDITION THAT THEY REGISTER AS SOON AS PRACTICABLE AFTER ARRIVAL WITH THE AGENCY FOR PUBLIC INFORMATION.

6. COMMENT: IN THE LIGHT OF THE FACT THAT THE "COMPETENT AUTHORITY" ALREADY POSSESSED SUFFICIENT POWER UNDER ARTICLE 15 OF THE EMERGENCY REGULATIONS TO INSTITUTE PRIOR CENSORSHIP, WE ARE INCLINED TO BELIEVE THAT THEIR ASSERTION THAT THE SUBMISSIONS ARE "FOR INFORMATION" ARE PROBABLY ACCURATE AND THAT THE NEW REGULATION IS INTENDED TO PROVIDE THE RULING PNP WITH AN EARLY WARNING SYSTEM AGAINST UGLY, ELEVENTH-HOUR SURPRISES. THESE MIGHT INCLUDE, FOR EXAMPLE, A CLOSER LOOK AT THE IRANIAN/ SUGAR DEAL OR REVELATIONS OF CLOSER LINKS BETWEEN PRIME MINISTER MANLEY AND CUBAN PREMIER CASTRO (FEAR CONFIDENTIAL

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PAGE 02 KINGST 05419 02 OF 02 141630Z

OF THIS LATTER POSSIBILITY HAS ALREADY LED TO AN ANTICIPATORY REBUTTAL BY A MINISTER (P.J. PATTERSON) IN THE LAST WEEK.) ALTHOUGH THE SATURDAY ORDER WAS ISSUED IN THE NAME OF THE "COMPETENT AUTHORITY" IN ORDER TO DISTANCE THE PNP GOVERNMENT FROM ITS OBVIOUS IMPLICATIONS, THE DACDE WAS DEMOLISHED WHEN THE SUNDAY MEETING WITH THE MEDIA "TO CLARIFY" THE ORDER WAS HELD WITH MINISTER OF SECURITY KEBLE MUNN AND MINISTER OF JUSTICE CARL RATTRAY DOING THE CLARIFYING. AND EVEN IF THE ORDER IS INTENDED SIMPLY FOR USE UNTIL THE ELECTION, IT IS A BAD PRECEDENT. WE AGREE WITH THE GLEANER'S CHARACTERIZATION OF THE MOVE AS THE THIN END OF THE WEDGE POSSIBLY LEADING TO CENSORSHIP IN JAMAICA. GERARD

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